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Cc: [Jordan, Ronald](#)
Subject: EPA Regions Assistance on Steam Electric Proposed Rule Interagency Review
Date: Thursday, March 14, 2013 2:59:00 PM
Attachments: [image003.png](#)
[MCW NPDES Permit Listing.xlsx](#)

Greetings!

I hope this email finds you well. As you may be aware, EPA has a consent decree deadline to sign a notice of proposed rulemaking pertaining to revisions to the steam electric ELGs on April 19, 2013, and the steam electric ELG proposed rule is currently at OMB undergoing interagency review pursuant to Executive Order 12866. We are writing to ask for your assistance in helping address an issue raised during interagency review regarding the current requirements applicable to "metal cleaning waste". A comment we received suggests that, *based on a 1975 EPA Jordan Memo, non-chemical metal cleaning waste (all water washing operations) is considered as "low volume waste"*. As described further below, we would like your help in identifying examples that show whether nonchemical metal clean waste has been treated as a low-volume waste pursuant to the 1975 memo. Given the timing and the deadline we are facing, we are asking for your assistance as soon as possible, and no later than Friday, March 22, 2013.

Before describing in more detail what we need from you, I will briefly provide some background information:

I-What is this "1975 EPA Jordan Memo"?

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It was a memo written by an engineer in EPA's permitting division in response to a request from EPA Region 3 for interpretation of the steam electric ELGs with respect to several issues. The following statement about non-chemical metal cleaning waste appears in the last paragraph on page 3 of this memo: *"In regard to the question on distinguishing between metal cleaning and low volume wastes, the following clarification is offered. All water washing operations are "low volume" while any discharge from an operation involving chemical cleaning should be included in the metal cleaning category."*

II-What the steam electric 1980 proposed rule and the 1982 final rule says about definitions provided in the 1975 EPA Jordan Memo for metal cleaning waste and low volume waste?

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The following statements appear in the 1980 proposed rule and the 1982 final rule for the steam electric ELG:

- ERN 1980 Proposed Rule (Page 68333) - The preamble indicates that EPA reconsidered what was stated in the 1975 Jordan memo and "concluded that it should not be followed in the future." However, based on past reliance on the Jordan memo, EPA proposed to revise the definition of low-volume waste to include nonchemical metal cleaning waste, but for BPT only. Also, EPA proposed to set new BAT limits on both nonchemical and chemical metal cleaning waste.
- ERN 1982 Final Rule (Page 52297) - The preamble indicates that EPA "examined the available data on waste characteristics of nonchemical metal cleaning wastes

and the costs and economic impacts of controlling them....However, the data were too limited for EPA to make a final decision.” EPA, therefore, reserved BAT, NSPS, PSES and PSNS for non-chemical metal cleaning wastes. It also withdrew the proposal to change the definition of low-volume waste to include nonchemical metal cleaning waste for purposes of BPT only. EPA said in the final rule preamble that until new limits are set (e.g., BAT), the 1975 EPA Jordan Memo “may continue to be applied in those cases in which it was applied in the past” (emphasis added).

III-What are the current ELGs for metal cleaning waste and low volume waste?

Wastestream	BPT	BAT	NSPS	PSES and PSNS
Chemical Metal Cleaning Wastes	TSS: 100 mg/L; 30 mg/L Oil & Grease: 20 mg/L; 15 mg/L Copper: 1.0 mg/L; 1.0 mg/L Iron: 1.0 mg/L; 1.0 mg/L	Copper: 1.0 mg/L; 1.0 mg/L Iron: 1.0 mg/L; 1.0 mg/L	TSS: 100 mg/L; 30 mg/L Oil & Grease: 20 mg/L; 15 mg/L Copper: 1.0 mg/L; 1.0 mg/L Iron: 1.0 mg/L; 1.0 mg/L	Copper: 1.0 mg/L (daily maximum)
Non-chemical Metal Cleaning Wastes		Reserved	Reserved	Reserved
Low Volume Waste	TSS: 100 mg/L; 30 mg/L Oil & Grease: 20 mg/L; 15 mg/L		TSS: 100 mg/L; 30 mg/L Oil & Grease: 20 mg/L; 15 mg/L	

IV- What is in the draft of EPA’s proposed rule that is undergoing OMB review with respect to non-chemical metal cleaning waste?

- EPA is proposing to add the definition of non-chemical metal cleaning waste as any wastewater resulting from the cleaning of metal process equipment without chemical cleaning compounds.
- EPA is proposing the following limits for non-chemical metal cleaning waste:

Wastestream	BAT	NSPS	PSES and PSNS
Non-chemical Metal Cleaning	Copper: 1.0 mg/L; 1.0 mg/L Iron: 1.0 mg/L; 1.0 mg/L	TSS: 100 mg/L; 30 mg/L Oil & Grease: 20 mg/L; 15 mg/L Copper: 1.0 mg/L; 1.0 mg/L	Copper: 1.0 mg/L (daily maximum)

Wastes	mg/L	1.0 mg/L Iron: 1.0 mg/L; 1.0 mg/L	
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V- How can you help us?

Attached you will find an Excel file that contains three separate spreadsheets ("Survey MCW Plant Listing", "PCS MCW Outfall Data" and "Nonchemical Cleaning Operations"). Information presented in these spreadsheets are responses reported in the steam electric survey, which was sent out to 733 plants in May 2010 and was used to gather data for the steam electric ELG rulemaking.

- The spreadsheet titled "Survey MCW Plant Listing" contains plants that reported discharging chemical and/or nonchemical metal cleaning wastes in their survey responses. The plants are sorted by the EPA Region and state. Additionally, within each state, the plants have been ordered in a priority such that those that have both chemical and nonchemical metal cleaning wastes are listed first, followed by those with nonchemical cleaning wastes, and finally followed by those with chemical cleaning wastes.
- The spreadsheet titled "PCS MCW Outfall Data" contains a listing of permits that have outfall pipe descriptions with the term "clean." The spreadsheet also identifies the specific outfall number, the entire pipe description, and whether the outfall has a limit for copper and/or iron. Please note that many of the descriptions only identify "metal cleaning waste" and do not differentiate between chemical and nonchemical wastes, but some of the descriptions do have more detailed information.
- The spreadsheet titled "Nonchemical Cleaning Operations" provides a list of non-chemical metal cleaning wastes reported in responses to the steam electric survey.

The priority is to focus on the plants for which specific nonchemical metal cleaning wastes can be identified; therefore, you should start with the "Survey MCW Plant Listing" spreadsheet. But if there aren't any plants for a state included in the "Survey MCW Plant Listing," then you can focus on the permits identified from PCS. Please note that we are requesting the information for any fuel type steam electric plant (coal, petcoke, oil and/or gas) that identified nonchemical metal cleaning waste. We are asking for your help to identify the following information from **at least 2 plants/permits** per state in your Region:

- 1- How is the metal cleaning waste handled at the plant? Is there any distinction between chemical cleaning waste and non-chemical cleaning waste? If so, what are the limits for each?
- 2- How is the non-chemical cleaning waste handled at the plant, as metal cleaning waste or low-volume waste? What is the limit used?
- 3- If the non-chemical cleaning waste is handled as low-volume waste, what is the basis for this assumption? Does the factsheet make any specific reference to the 1975 EPA Jordan Memo or provide other justification?

If you have any questions, please don't hesitate to contact me. Again, given our consent

decree deadline of April 19, we would appreciate if you could provide your response to this email request no later than **Friday, March 22, 2013.**

Have a blessed day!
Sincerely,



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